

AMENDED IN SENATE APRIL 16, 2013

SENATE BILL

No. 570

Introduced by Senator DeSaulnier

February 22, 2013

An act to ~~amend Section 54950 of~~ *add Section 6253.32* to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 570, as amended, DeSaulnier. Local government: ~~open meetings:~~ *public records: copy charges: retrieval.*

The California Public Records Act provides that any person may receive a copy of any identifiable public record from any state or local agency upon payment of fees covering direct costs of duplication or a statutory fee if applicable.

This bill would require the forms of payment accepted by a public agency to include credit card payment or another electronic payment option, if a request for a copy of records includes a total of 20 or fewer pages. The bill also would prohibit a public agency from charging for copies of records available in portable digital format (PDF), or for a copy of data that is extracted from a database, if new programming is not required to extract the data.

By increasing the duties of local public agencies responding to public records requests under certain circumstances, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized.~~

~~This bill would make technical, nonsubstantive changes to a provision of the Ralph M. Brown Act.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6253.32 is added to the Government Code,
2 to read:
3 6253.32. (a) If a request for a copy of records includes a total
4 of 20 or fewer pages, the forms of payment accepted by a public
5 agency shall include credit card payment or another electronic
6 payment option.
7 (b) Notwithstanding any other law, a public agency shall not
8 charge for copies of records under either of the following
9 circumstances:
10 (1) The records are available in portable digital format (PDF).
11 (2) The records consist of data extracted from a database, if
12 new programming is not required to extract the data.
13 SEC. 2. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.
18 ~~SECTION 1. Section 54950 of the Government Code is~~
19 ~~amended to read:~~
20 ~~54950. (a) In enacting this chapter, the Legislature finds and~~
21 ~~declares that the public commissions, boards, councils, and the~~
22 ~~other public agencies in this state exist to aid in the conduct of the~~

1 people's business. It is the intent of the law that their actions be
2 taken openly and that their deliberations be conducted openly.
3 (b) The people of this state do not yield their sovereignty to the
4 agencies that serve them. The people, in delegating authority, do
5 not give their public servants the right to decide what is good for
6 the people to know and what is not good for them to know. The
7 people insist on remaining informed, so that they may retain control
8 over the instruments they have created.

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